

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80321 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- BYPASS District- Patna

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Ajit Kumar Son of Late Dharmendra Prasad @ Ashok Ram Resident of
Mohall-Kankarbag, Ashok Nagar, Road No-13 P.S. Kankarbag District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 21-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bypass P.S. Case No. 176 of 2018** registered for the offence punishable under Sections 363 and 392 of the Indian Penal Code.

It is alleged in the written report that on 10.06.2018, informant was going to Patna City Station on his motorcycle, meanwhile one another motorcycle dashed with motorcycle of informant. Motorcycle rider was demanding Rs. 20,000/- for repairing damaged motorcycle. It is further alleged that the accused persons along with petitioner caught the informant and took him near Tempo Stand, Kankarbagh. The accused persons told him to call his father with money. When father and maternal uncle of informant came near Sipara Pool and raised



hulla, all the accused persons fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to enmity. He has no concern with the alleged incident. It has been further submitted that day of occurrence is of 10.06.2018 and FIR was instituted on 12.06.2018 after a delay of two days. It has been further submitted that similarly placed co-accused has been granted bail by co-ordinate Bench of this Court vide order dated 29.10.2018 passed in Cr. Misc. No. 64656 of 2018. He is in custody since 10.06.2018

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **1st Additional Sessions Judge, Patna City**, in connection with **Bypass P.S. Case No. 176 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his



absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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